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5 Attorney for Plaintiffs
DAREN HEATHERLY
6 and IRMA RAMIREZ

7

8                    UNITED STATES DISTRICT COURT

9                  NORTHERN DISTRICT OF CALIFORNIA

10

11 DAREN HEATHERLY; and IRMA          )    **CASE NO. 3:14-cv-03368-VC**
RAMIREZ,                              )
12                                    )
        Plaintiffs,                   )    STIPULATION and [~~PROPOSED~~]
13                                    )    ORDER TO CONTINUE STATUS
v.                                    )    CONFERENCE
14                                    )
                                      )
15 BSR EATS, INC., dba EATS; and YIU- )
WUN CHAN and LAI-PING CHAN,           )
16 Trustees of the CHAN FAMILY TRUST, )
U.D.T. ("Under Declaration of Trust"),)
17 dated September 22, 2007,           )
                                      )
18                                    )
        Defendants.                   )
19 _____  )

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22      Plaintiffs DAREN HEATHERLY and IRMA RAMIREZ, and defendants BSR EATS,

23 INC., dba EATS; and YIU-WUN CHAN and LAI-PING CHAN, Trustees of the CHAN

24 FAMILY TRUST, U.D.T. ("Under Declaration of Trust"), dated September 22, 2007, by and

25 through their respective attorney of record, hereby stipulate to continue the Status Conference set

26 for February 3, 2015, at 10:00 a.m.

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STIPULATION and [PROPOSED] ORDER TO CONTINUE STATUS CONFERENCE
CASE NO. 3:14-cv-03368-VC

1       1.    **Whereas**, all defendants have been served with the summons and complaint, and

2  defendants have answered the complaint; and

3       2.    **Whereas**, the parties conducted the General Order 56 Joint Site Inspection on

4  November 19, 2014, at the Eats Restaurant, located at 50 Clement Street, San Francisco,

5  California; and

6       3.    **Whereas**, on December 8, 2014, plaintiffs submitted their global demand to

7  defendants. The parties have been actively engaging in settlement negotiations and are

8  attempting to resolve the matter without having to participate in a mediation in order to reduce

9  fees and costs. If settlement negotiations are unsuccessful, the parties will proceed with the

10 mediation; and

11      4.    **Whereas**, the parties believe it would be in the interests of efficiency and

12 economy to continue the Status Conference to sometime after a mediation has been completed;

13 and

14      5.    **Whereas**, plaintiffs' counsel also has a mediation scheduled on February 3,

15 2015, in an unrelated case (*Daren Heatherly, et al. v. Le Petit Marchet, et al.* - Case No. CV-13-

16 4498-JSC);

17      6.    **Therefore**, the parties respectfully request that the Case Management Conference

18 currently scheduled for February 3, 2015, at 10:00 a.m. be continued up to and including ninety

19 (90) days, and/or to a date that is convenient to the Court.

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21      **IT IS SO STIPULATED.**

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1   This stipulation may be executed in counterparts and have the same force and effect as

2   though all signatures are on the same and/or consecutive pages. Photocopies and facsimile shall

3   have the same force and effect as originals.

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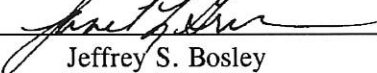                                    Respectfully submitted,

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7   Dated: January 26, 2015          THOMAS E. FRANKOVICH,

8                                    *A PROFESSIONAL LAW CORPORATION*

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10                                   By: ____/s/Thomas E. Frankovich_____

11                                       Thomas E. Frankovich
                               Attorney for Plaintiffs DAREN HEATHERLY

12                                 IRMA RAMIREZ

13

14  Dated: 1/26 , 2015           DAVIS WRIGHT TREMAINE LLP

15

16                                 By:_____

17                                     Jeffrey S. Bosley
                                 Janet L. Grumer

18                                 Attorneys for Defendant BSR EATS, INC., dba
                               EATS

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STIPULATION and [PROPOSED] ORDER TO CONTINUE STATUS CONFERENCE
CASE NO. 3:14-cv-03368-VC                                                         3

1   Dated: Jun. 26 , 2015                    RYUTARO HIROTA,
2                                            LAW OFFICES OF RYUTARO HIROTA

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4
                                            By: _Ryutaro Hirota_____
5                                                Ryutaro Hirota, Esq.
6                                            Attorney for Defendants YIU-WUN CHAN and
                                             LAI-PING CHAN, Trustees of the CHAN FAMILY
7                                            TRUST, U.D.T. ("Under Declaration of Trust"),
8                                            dated September 22, 2007

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10                      [~~PROPOSED~~] ORDER

11          IT IS SO ORDERED that the Status Conference set for Tuesday, February 3,

12   2015, is vacated and/or continued to _May 7_____, 2015, at _10:00_ a.m./~~p.m.~~ The

13   parties shall file a Joint Status Report by no later than seven (7) days prior to the Conference.

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16   Dated: _January 28_____, 2015          _____
17                                           Honorable Vince Chhabria
                                             California United States District Judge
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